COMMERCIAL

FRIDAY, JANCARY 27, 1882. Business has continued brish since last writing, the Australia large amount of merchandise brought by the numerous arrivals mouttoned last week offering our merchants every independent to keep on the sleet and moving, in placing the large amount of incoming American upducts to the best advantage for themselves and their

The insports during the past week have not been as large the previous week, but the total in valuation Zealmetta. makes a respectable addition to that before reported. The arrivals consist of the F M S S City of Sydney from San Prancisco with the nanal general cargo, and also \$31,000 in freezure - the Camden and Emerald Inmberladen from the Sound, the General Miller, from San Francisco with soul, and the Amy Turner from New York with enal and masselfaneous merchandise; total

valuation of all imports, exclusive of treasure, \$90,000. The exports have been very light, the continued bulsterous weather debarring the rapid transit of our staple products from the mill-sides to this port, and as a consequence only one wessel, the J D spreckels, has taken w cargo Constwords, valued at \$52,985.85. The steamer City of Spiney took a small quantity of rice to the

From our foreign files we learn that the first blow toward breaking the Reciprocity Treaty has already been struck, a joint resolution having been introduced in the American Congress calling for its abrogation.

Wirm regard to the great outcry made by (only) one paper in the chief city of the Pacific Coast, and that not a commercial paper, against the continuance of the Treaty of Reciprocity at present existing between the United States and these Islands, little has been said by the P. C. ADVERTMENT IN the way of argument, other than by producing the articles which have appeared from time to time in not only the best papers published on the Parific Coast, but all over the American Union and the tone of which arguments satisfy us that the opinions expressed are formed by those desiring only right and justice. In furtherance of this plan of presenting the views of well-known and honest journals before our readers, we insert below extracts from two papers. bearing upon this subject of Reciprocity.

The Springfield (Mass.: Republican, under the head of " A Statesmanlike View of the Hawatian Treaty," says: "There is going to be a great effort this winter to abre gate the Reciprocity Treaty with the Sandwich Islands on the ground that it has resulted in a great increase sugar imports from the Islands and a consequent loss revenue. In the course of three years our exports to the Sandwich Islands have amounted to nearly \$6,000,000 and our imports to \$9,221,000, on which there would have been paid otherwise a duty amounting to about \$5,500,000. But if the duty had been collected, the Hawaiian sugar production would not have increased in equal proportion and the great benefits which the long-suffering American commerce has got from the growth of the carrying trade between Hopolulu and San Francisco is absolutely the only bright spot in our whole marine outlook. The fact that the revenue has been sucrificed is a simple instance. of the homely truth that we cannot eat our cake and have it too. The revenue is not needed, and is repaid in the growth of commerce under the American floor

The S. F. Post, in a three-quarter column article on the subject, says, amongst other things: "The inevitable result of Reciprocity is a loss of revenue and development of trade; in other words, the community at large makes a profit on its labor, skill and enterprise, proportioned to the exchange of commodities under the treaty, at the ex-pense of revenue. Let us see how this rule has worked in the case of Hawaii. The Ecciprocity Treaty with that country name into operation in September, 1876. The foreign trade of the insular Kimpton that year, as stated by Mr. Allen, Collector-General of Customs, was: Exports, \$2,241,041; imports, \$1,811,770; total, \$4,002,811. American goods free under the Treaty, \$341,820 formed part of the imports, and \$675,500 paid duty. Thus, \$1,000,000 paid duty. 019,363 was the value of American products sent to Ha. wall the year the Reciprocity Treaty came into operation. The years 1877-78 show a steady development of trade in the same direction. In 1880, the expects (nearly all to the United States) and grown to \$1.200,444; imports, \$3, 673,248, of which \$2,928,557 were free American goods on

Now the question arises, whether this increased trade has been an equivalent for the loss of revenue.

We have, however, figures before us which appear, I in the columns of the P. C. Apventuers, Dec. 1881 variety throw a great deal of light on the subject. These returns cover the years 1877 to 1880 inclusive, and nine months of 1881, and embraces a detailed statement showing the amount of freight, insurance and commission paid by Hawaii to American merchants and companies engaged in the Islands fruit for the period named. For four years and nine months a total of \$4,658,757 has been paid to our merchants and shipowners under the foregoing heads, pins the price of the morehundese and live stock purchased here. Besides that, Hawaii had thirteen schooners and eight steamers built at San Francisco for the inter-island trade, and we may add that quite a fleet of packets have also been built by our own merchants and are now engaged trading with Hawaii. It is safe to credit the Reciprocity Treaty in five years, therefore, with developing shipbuilding on this Coust to a very considerable extent. The memorandum also claims that fully three-fourths of the total passage money on American vessels between San Francisco and the Islands, in the period under review mounting to \$750,000, was paid by Hawaiin people. We have, therefore, as a result of the Treaty, plus th sburse opends in scamen's wages and ships' supplies o this port, a respectable fleet of sailing and steam vessel built, equipped and in great part manned by Americans also increased travel and consequent large expenditur in hotels and stores in this country; and freight, comission and insurance, aggregating let us say, \$6,000,000 to set off against the loss of revenue, not to speak of the profits our merchants and manufacturers made upon the islands trade itself. This has been the country's experisuce in Reciprocity with a small and insignificant com-

Herewith we present our usual monthly circular from Willfams, Dimond & Co.: San Financisco, January 14th, 1882.

DEAR Sta: -Our last advices were dated 20th ult. per Business quiet in most branches. Rain is wanted in the San Josquin Valley and Southern Counties, yet if it comes within the next few weeks there is yet sufficien time to ensure an ample crop.

SUGAR:—Since our last circular the local refineries have made great reductions in prices, particularly in yellows, C and D being now held at 9 % and 8 cents respectively. Hawaiian No. Ones are selling at from 7 % ag 7 % cents in bugs and from 7 % ag 7 % in Kegs.

Cuba Centrifugals in New York were selling on the 2nd inst. at 8% cents for 96 per cent. polarization. Mantla basis was reduced on the 1st inst. to 6.85.

EICE—Hawaiian selling at from 4 % ag 4.8-10 cmb.

RICE Hawaitan selling at from 4 % op 4.8-10 cash. boot 3.000 bags held in drst hands. BRAN-has advanced to \$18.50 per ton. OATS:-The high price now reached has checked con-sumption. Quotable at \$1.80 for good feed. BARLEY:-Stocks are light. Firmly held at \$1.65 for

rains soon,
FLOUR:-G. G. Extrs, \$5%. Starr Mills, \$5.10.
TALLOW:-We quote crude 6% & 6% cents; Refined 9 02 934 cents in shipping order.

WOOL:—Market slow here, while at the East demand is steady. We quote San Joaquin II 02 15 cents; North-

ern 18 @ 22 cents. CHARTERS:-Market quiet. Last charter an fron vessel 70 s., Cork, U. K. The present is a period of uncertainty, as both helders of tennage and wheat are awaiting EXCHANGE:-London, 60 de st. 49 % d; New York, sight 1.5 % h per cent premium. Yours faithfully

WILLIAMS, DIMOND & Co. San Francisco, January 2, 1882. The following statistics of the sugar trade of this port

	IMPORTAT	st, was 2,208,0	
Hawatian Manils Formose	erican, 1,755,328 671,600	Pennds. 86,584,797 16,619,822 1,628,144 1,323,881 889,012 26,660	
			670,268
Available fo	e distribution t the close of 1881,.		
	ntion in 18st, ution in 1880,		963,420 345,270
Increase	of distribution		718,149

PORT OF HONOLULU, H. I.

ARRIVALS.

SOLSTWIE. Jan 21 -- Stur C It Bishop, from Kanat 1-Stmr Mozolii, from Kausi I-Schr Keksuluchi, from Hanalei -Stor Likelike, from Hilo 22-Star Kilanea Hon, from Kahului 22-Stare Slakee, from Kapea 22-Stare Lehun, from Molokal and Mani 22-Schr Giovanni Apfini, from Koolan 22-Stur Iwaiani, from Kona and Kan 22-Schr Luka, from Honoipu 24-Schr Neitie Merrill, from Labaina 24 Sohr Prince, from Kona

25-Schr Knals, from Waisman, 25-Schr Lenht, from Honotpo M-Schr Rob Roy, from Molokul 27-Schr James Makee from Kaugh

Jan 11-Jaluit schr Alaska, Tanck, Jaluit -Bawn seller Jenny Wafker, Knacke, Fannings' Isl. 23 -Stair City of Sydney, Bearborn, San Francisco 21 - Am Schr Gett I Miller, Morse, S F 26 - Am bk Camden, Swenten, Port Townsend 26-Aur bis Emercial Lord, Part Townsend

DEPARTURES.

Jan 21-Schr Mann, for Scoken 21.—Stor C R Bishop, for Kauai 21.—Schr Kauikeinii, for Honokaa 21.—Schr Kaula, for Waianae Street Likelike, for Hile 24-Stur Lehus, for Muni and Molokal 24-Stmr Kilanea Hon, for Kahului 24-Stmr James Makee, for Kanai 24-Schr Kekanlucht, for Hanalet 26 Stmr Iwaiani, for Ketta and Katt 25 Stmr James Makes, from Kattai

BUILDION. Jan 20-P M s S City of Sydney, Dearborn, Colonies 21-Am byte 5 D Spreckels, Friis San Francisco 25-Jaluit schr Alaska, Tanck, Jaluit 25-Am schr Coute Haywart, Le Baltister, Eureka, Cal

POREIGN VESSELS IN PORT.

Am bk Pacific Slope, Barnes om blitne W H Dimend, Houdlett Am bit H W Almy, Freeman Br ship Ninevelt Claims Gr bk Anonis, Dorl Am by Forest Queen, winding Am bk D C Murray, Ravens Am bk Amy Turner, Newell Am bk Emeraid, Lord Am bk Camden, Swanton Hawn schr Jenny Walker, Enacks

P. M. S. S. Co.'s Time Table for 1882.

Post Synches and Attendance.

Oct 25 City of New York Oct 29 New 20 Zeningdin New York Dec 24

Vessels Expected from Foreign Parts.

Am filt thatberian, S.F. (arrived January 28) Ship Doke of Aberbert, Liverpoot, January.
Bk Rainler, Port Townsend, January, to Hackfeld & Co-Bk C R Bishop, Bremen, February, to Hackfeld & Co-Bk Ceylon, Rosno, France, February. Bk Atalanta, Liverpool, March, to J T Waterhouse Bk Earl Daihouste, London via St Michaels, March, to k Edward May, Liverpool, April, G-W Macfarlane & Co k Furness Abbey, Boston, April, to Brewer & Co. Listic Bull, Laverpool, Muirgand, to T H Davies. B N 8 Triumph, Chile, dbtfi a gunbeat Iroques, S.F. — dbtfl in gunbeat Adams, Caliso — dbtfl in bk F.S.Thompson, Departure Bay, February & Stella, New York, April, Chaile & Cooke & Loch Lee, Newcastle, N.S.W., due Brig Pomere, San Francisco, February Str Mary Tatham, San Francisco, Feb. it Hackfeld & Co Bk Adolph, Bremen, June, H Hackfeld & Co

Bkte Enreks, San Francisco, Feb Bk Kalakana, San Francisco, Feb. F A Schaefer & Co

ALONG THE WHARVES.

Bk Paradox, Bremen, June, H Hackfeld & Co.

The Discovery is at the Esplanade opposite the Custom donse, slowly discharging. The Forest Queen is lying House, slowly discharging. The Forest Que astern of the Discovery and slowly leading. The schooner Jennie Walker is in the stream at present, but will probably haul atomptile to-day or Mon-day, and commence discharging her cargo of cobra-The Pohoiki, formerly the Lactitia, and now owned by Mark Robinson, Esq., is at Sorenson's wharf being re The Emerald is at the Esplanade as also the Camden, Louis discharging their lumber cargors. The W. H. Dimond is at the old Custom House, wharf all discharged. Capt Headlett is all ready to load when the sugar gets this way, but bad weather to windward is likely to cause a detention 'till the latter end of next

The Almy is at the Nousanu street wharf, as is also the lately arrived back Amy Turner. The Almy is dis-charged and the Amy Turner will probably commence The 5k Adonis is at Allen & Robinson's wharf dis-harging and her cargo seems to be coming out in fine rder. The Adonis has been chartered to load sugar to New York, terms private. The Lady Lampson is at the Kausi steamer's wharf, nearly loaded. She will sail about the 30th inst. for the

The Pacific Slope sails to-day in ballast for Burrard's The Constitution sailed yesterday, the 17th inst. for Departure Buy to relead with coal for this port. The D C Murray is loading rapidly, although the bad

MARINE NOTES.

The bk Stella, Capt Somr., er, sailed from New York for The Br steamer Mary Tatham is advertised to touch at this port on route from san Francisco to Hongkong. The Royal yacht Wanderer is reported as having arved at Yokohama, Dec, 11, 24 days from Honolule The schr Mosario has solled from Kahului, Mani, for San Francisco, with a full cargo of sugar, the brig Hazard would

The P M S S City of Sydney arrived in port on the 23d inst, bringing freight and passengers from San Francisco, she sailed again for the South at 7 p. m. same date. A new barkentine, the Kitsop, built by the Puget Mill per-fastened and conversed to the water line, and will car-The steamer Henry Edge, from Antwerp to Boston,

was 33 days out Dec. 22. It is understood that 25 per cent, remium was offered on her cargo and refused. Among he cargo is 90) tons of best sugar, the first consignment of that article. By the side of the British marine of 2,750,000 tons of

hirteen and two-thirds millions estimated tons in trans intry appears diminutive. The fleet of the United States, which has the second place, amounts to only 3,-100,000 estimated tons, or 12); per cent, and Norway, which is third, only 1,500,000 estimated tons, or 5 per cent The first of the fleet of steamers with cable for the Central and South American Telegraph Company, was announced to leave London November 15th. No fewer than

lowing each other in rapid succession. The length of cable to be used is 3,082 nautical miles, and it is now be-ing manufactured and loaded in London'at the rate of 22 lies a day. It is believed that the work will be finished the end of next July and about that time ours may be oor-keeper and messenger at the Merchants Exchange, an Francisco, died Dec. 31st. Billy had made many ...arm riends by his kindly actions and obliging ways, and they

regret his sublen taking off. He contracted a severe cold on Friday evening, the 16th instant, and the result, to already enfeebled constitution, was a severe attack of The Jaluit schr Alaska, Capt Tanck, arrived in port on e 21st inst., and having on board Capt Tierney, master the lost Hawn brig Storm Bird. The delay in ar-

ival was occasioned by continuous calms encountered a southern latitudes, the vessel being forced by a west-rly current 500 miles out of her course. The Alaska cailed again for Jahunit on the 25th inst.

The schr Ida Schmar arrived at Kahului, Monday, January 16th, with a cargo of lumber for Capt. Hobron. Un Sunday, while changing moorings, her line parted and she went ashore. A survey was afterwards held and she was contemnashore. A survey was afterwards held and she was conformed, and after a notice of forty-eight hours she was sold at anc tion. Capt. Hobron bought her cargo for \$1,000 and Mr. J. D. Spreckels bought the vessel for \$450. Work was commenced at once; her deca load was removed, and, the weather favoring, after great exertions she was floated off on Saturday morning. She is still floating with her hold full of immber and sater Had the wind and swell set in from the North as it did the week before, nothing could have saved her or the car-

IMPORTS.

From Fannings Island, per Jenny Walker, Jan 23-From Jaluit, per Alaska, Jan 23-8 bdls and 3 cases old metal, 1 bbl and 1 keg sharks fins. From San Francisco, per Gen'l Miller, Jan 21-150 tons From Pt Townsend, per Camden, Jan 25-99,911 ft fressed lumber, 231,633 ft rough lumber, 103,530 shingles,

21,500 laths, 5,418 pickets, From Pt Townsend, per Emerald, Jan 25 710,309 ft sugh lumber, 95,168 ft dressed lumber, 100 m shingles, 50 m laths, 1816 ft spars.

EXPORTS.

For Sydney and Auckland, per City of Sydney, Jan 24-74 bgs rice, I pcl watches, I horse Dom value, \$370; For. For Lahaina, per Gen'i Miller, Jan 25-150 tons coal in transit; For. value \$1.050. For Eureka, Cal., per Cassie Hayward, Jan 25-20 buchs For San Francisco, per J D Spreckels, Jan. 24-6,763 physiogar, 64 buchs sugar cane, 11 cases betel leaves, 140 buchs baranas, 2 bags coffee; Dom. value, \$52,985,83.

PASSENGERS.

From San Francisco per City of Sydney, Jan. 23d W B Mandon, Has Darmell, Chain Laing, Chain see, 8 selly, Miss C Eillinson, Mrs W P Toler, Miss Toler J it pencer, wife and child Miss Musher, Miss Young, are C L Rell and son, Mr and Mrs C R Wright, Miss E L Anzior, Wissens, J D King, G S Simons, J Moore, L Altunrk, J W Stevens, A W Bush, B Heymanson, O W Merriman, and wife Mrs A E Feasett, Mrs J A Hughes, E Hughes, and wife, Mrs A.E. Pessett, Mrs J.A. Rughes, E. Hearne, W. Hull, Thos Daley, F. Boss, Mrs J. Usler, Mrs M. Joseph, L. J. Low, J.N. Skelton, Chas. Fitzperald, C. Swift, J. Single, M. Francis, D. McKenzie, J. N. Ashworth, T. Buchanan, O. P. Nichols, L. Malisonboon, V. Borchger, Eds., C. B. Hoodgard, Jas. O'Neil, C. Horsnell, W. Henderson, J Hollin, J Trainor, thus Forrest, J Chaffee, and 30 Chinese 119 cabin and 15 steerage passengers in transit for

For Sydney and Anckland, per City of Sydney Jan. 21d. -Capt Kennedy de Piotrowsky, W T Lishman.
From Jalnit, per Alaska, Jan. 2id-Capt Tierney and
two natives from week of Storm Bird. For Jalutt, per Alaska, Jan 25-Jos Johanssen and wife. From Pt Townsend, per Camden, Jan 25-Jon Tregioan. For San Francisco, per J D Spreckels, Jan 24—Rhodus, Limbarth, John Burke, J T. Wells, Ozmund, W Rasmus-

RHODES-CHAPMAN-In Honsinia, Monlay, Jan. 224, 1882, at the Roman Cuthesic Cathedral, by Monseigneur, the Bish and Ohio, the Hon. Godeney Ruopes, member of the House of Nobles, to May Man y Charman JANSEN-JOHANSEN-Jan. 28th at the residence of Mrs. Capt. Long. Pauce, by the Rev. H. H. Parker, Almont Jan's

Hem Advertisements.

FIREMEN ATTENTION



and the members of the several Companies are directed to repair to the

Honolulu Clothing Emporium! where the regulation CAP, SHIRT, NECKTIE, seeign also the KALAKAUA'S BADGE can be purchasel for the small sum of \$4.00.

Per order of

A. M. MELLIS,

104 Fort Street.

THE PACIFIC

I ommercial Appertiser.

THE LIBEL CASE.

REX to WALTER M. GIBSON. On the 4th of January, Mr. Gibson was arraigned on an indictment charging him with libel on his Ex. W. N. Armstrong, as Commissioner of Immigration: To which indictment a demurrer was filed. On the argument of the demurrer, counsel for defendant contended that the indictment was bad on the following grounds. First, that the letters referred to in the indictment were not set out; second, that the words were not libellous; third, that it was not alleged that the publication was malicious; fourth, that no intent to defame or vilify was alleged. The Court, on the 23d instant gave judgement, holding that the letters need not be set out, and that the words were in themselves libellous, but upheld the demurrer on the third point, whereupon counsel for the prosecution, moved the Court to direct the indictment to be amended in accordance with its judgement, which the Court on the 24th instant directed to be done. To which, exceptions were noted by defendant. The Counsel for the prosecution, General A. S. Hartwell, having laid before counsel for defendant, Messrs. Preston and Russell, the original letter received by last mail, which was addressed by His Ex. W. N. Armstrong, to the Editor of the Berliner Zeitung, and which original we publish alongside the translation from the German, of what purported to be a letter from Mr. Armstrong. We cheerfully recognize the marked difference, in many essential points, between the genuine letter of Mr. Armstrong, and the one derived from The Brick Nineveh is at the Mail dock discharging her oad carge. She will not go Sound-wards for a few weeks sents his views, and say that had the original nal been before us, there could have been no occasion for the comments on Mr. Armstrong, which we made in our issue of September 10th, 1881, in good faith, on a supweather on the other islands has greatly retarded the posed correct version of a document. They prompt arrival of sugars which would be shipped by her. Capt Exvens hopes to leave for the Coast by the 1st were however not justifiable in view of the facts. We learn that the translation in the Zeitung was made by a party, who had but an imperfect knowledge of the English language, having to resort to a dictionary to make the translation. It is to be regretted that a publication in the German language misrepresenting the views of Mr. Armstrong, and the policy and character of this country, should have been widely circulated throughout Germany, and should have led to serious misunderstandings and proceedure in our Courts. The exceptions and the

case have been withdrawn. The original letter from The letter as published His Ex. W. N. Armstrong to in the P. C. Apventisen on the editor of the Heritaer Sept. 10th, translated from

BERLIN, Aug. 4, 1881.

The Hawaitan

"German papers hav

Bences Ann. 4 1881. To the Editor of the Berlin The newspapers of Ger- neous reports as to the p many have made some erroneous reports regarding the
objects of the visit of His
Majesty Kalakaua. His Majesty visits Europe only on
account of recreation, and
his Majesty's visits Euwatenmers will be employed in laving this cable, fol

rope is mainly to satisfy a ple of foreign countries.
desire long cutertained by The matter of immmigrahim to observe the people tion has also recforeign countries.

The matter of emigration — attention. The Hawaiia — The matter of emigration — Islands are capable of suphas also attracted his notice. porting a population.
The Hawaiian Islands are nearly one million. The Hawaiian Islands are capable of supporting a population of nearly one milion, but, owing to a variety of causes, the native population has decreased very rapidly. It may be said, prosper alongside the Europeans. The Islands hold does not thrive alongside of an important position in the the European. the European. Pacific Ocean, and it is as the Islands occupy a matter of considerable c prominent place in the Pa-cific ocean, it is a matter of great interest to secure for another population—espec ially if this could be don then the right kind of pop-ulation, and this can be countries where the people ulation, and this can be done only by emigration from the countries which contain the best races.

The only profitable agriculture now carried on is the cultivation of the sugar canc. The soil is very rich and the profit of that cultivation is great.

This is mainly owing to the advantages derived from a reciprocity treaty with America, by which Hawaiian sugars are admitted into countries where the people willingly emigrate. The soil is already introduced, and consists of the cultivation of sugarcane. The soil is productive and the profits of this cultivation are large because the advantage of the Reciprocity Treaty with the United States by which the Hawaiian sugars can be brought duty free into the United States, is of enormous advantage. There is

America, by which Hawaiian sugars are admitted into
America free of duty. With
skill, energy and capital in
combination there are most
excellent opportunities for
excel taking money rapidly. But a favorable opportunity he capital necessary for making money. this cultivation must be however, larger capital th larger than that usually re- is generally necessary for puired for far.zing. farming. To make the c To cultivate sugar cane fivation of sugar profital with profit labor must be labor must be cheap.

cheap. Hitherto the planters have relied on Chinese
labor, but owing to the cusborers; but these Chinese toms, the religion and above laborers, either on accorall, to the fact that the Chinese inborers never bring do not bring their wive their wives with them, such with them—therefore suc laborers are not of advan-tage to the nation and the Government is looking to countries which will fur-ordered that those who wish nish laborers who will in future to labor there bring their wives with them have to bring their wives and become permanent set- with them. The average

ers. wages on the plantation. The rate of wages on the are about one mark (25c.) The rate of wages on the plantations is about one mark (25c.) a mark per diem, together ing. The climate is most with board and lodging. The climate is probably the best tropical climate of the world. There is no ice or freezing. All of the tropical fruits do well. Owing to the small population there is not a great demand for artisans, and there is no remove tradesmen, official position near the room for more tradesmen.

Simple agricultural laboris needed in the country.

I have had applications for positions in the Government since His Majesty has the following the administration here and that of the Kingdom of Hamiltonian in the country wants to the source of the source seen in Berlin, sufficient to waii. If anybody wants to siminister the affairs of emigrate to the Hawaiian of Engdoms like Hawaii. Islands in the same way as f men will emigrate to the they do to other countries lawsiin Islands as they it is all right, but I wish to do to other countries, they express, particularly, that can do well, but I desire to it will not be to the advan-say most emphatically that tage of everybody, especial-

there are no opportunities by if the emigrant hopes to there for tille men or for obtain any certain employmen who wish to hold office ment. Never before have Nor is the Government on the Hawaiian Islands as seeking for emigrants from at present. From the Azores thermany at present. The Azores Islands are now borers have been imported sending many most excellent Fortuguese laborers tively at work now in the who are doing well in the country. It is possible that country. It is possible that during the next year some luring the next year some efforts may be made to in-effort may be made towards—troduce German immigrants inducted Germans to emi. of all this nothing has been Before it asks the people of the conclusion to emigrate this country to emigrate it to the Hawaiian Islands, intends to make the most they must make a most caretion and comfort af- pabilities and must expect for they reach the Islands, to have to deny themselves many comforts after arrival tive acts which are not now in existence. I should rather exist there. I wish that emi-

er discourage than encour-age emigration until the lands should be rather dis-Government of the Islands couraged than encouraged, formally and publicly re- and this I declare formally I have the honor to be I have the honor, &c., enf servant, Minister of State, &c.

WM. ARMSTRONG, Minister of Stale."

Esq., and Hon, W. M. Gibson-are now in THE ANNUAL PARADE OF THE HO- The field, soliciting the suffrages of the electors of Honolulu. Mr. Carter's plat-Friday Evening, Feb. 3d, 1882 form, thus far announced, is simply antiseveral planks in his platform, among such power of resistance as remained with loan for internal improvements and national of the people for as long a period as possible. dence of the Hawaiian Kingdom. Before something has been done, Is the country large on Wednesday let February to be forever roled often this feebler? In this respect the statute of libel is most ex-

the electors will give their decision,

of the treaty of Reciprocity with the verdict on the obstinate incompetency of The precedents of indictment, as they are Hawaiian Kingdom, notwithstanding much hostile newspaper discussion, and adverse congressional action. The higher aims of patients of the hospital. Is it possible that the dispetency of the distribution of the Honorous publishing which with and maliciously did write and publish, and cause and procure to the compiled in Train and Heari's Precedents of Indictinguity, p. 357 et seg., all set out a maliciously did write and publish, and cause and procure to the compiled in Train and Heari's Precedents of Indictinguity. national policy, and not any claims of sec- further delays in regard to the Hospitals for tional interest were consulted in granting the other islands will now be dared? the treaty; and the clamor of sectional, or private interest at this time will not set it aside. The little Kingdom has kept faith with its great co-signatory, and it stands before the world for honorable treatment, and the maintenance unto full maturity at least, of a carefully considered treaty. Can a few partisan congressmen affected by an interested hostile discussion, or yielding to other influences, compromise the dignity and high honor of the Great Republic in its attitude towards this little state? We will not believe this. It will not be so.

rights of use therein, to any other power. state or government, nor make any treaty by which any other nation shall obtain the same privileges, relative to the admission the United States."

Hawaii yielded more than should have een asked at her hands. And that now this great continental power will haggle with her little insular neighbor, on account of some alleged pecuniary advantage in the bargain, we will not believe-we will not case Rex vs. Gibson, as follows:accept in our thoughts. High honor, and action of great states; as we have seen murrer. illustrated in an Alabama arbitration, and still more recently in the recognition by a mighty Empire of the justice of the armed protest of a petty Transvaal.

Let little Hawaii continue true to herself will be true to her. Hawaii has not failed in her obligations in any particular, and has afforded America all the advantage and the treaty.

It is commonly said by many, who do not understand the Hawaiian situation, that the American reciprocity treaty is a vital national necessity of this Kingdom, and that its abrogation must lead to a surrender of Hawaiian antonomy. This is not so. There is no condition of things in the Archipelago to warrant such a conclusion. There is a strong national sentiment among nesians, or even of all Asiatics manifest a marked political capacity, and aptitude for stand by their native government, even if they had to return to the grass hut, and the might through adverse foreign action be- into disgrace, abhorrence, odium, hatred, concome unprofitable, and foreign commercial

long as justice and right prevails among the nations, treaty or no treaty. Let not those who urge on abrogation, imagine that surrender of autonomy will be the issue. Not so. The ballot, the palladium of every representative and constitutional state, will be forever deposited by every Hawaiian for the maintenance of national Hawaiian Independance.

THE results of the experiment so tardily set on foot in Honolulu ought to convince the Board of Health that no time ought to be lost in establishing Leper hospitals on each of the other large islands. The manner in which this sensible improvement in our mode of treating the Leper difficulty has been so long resisted by those in authority forms indeed a curious spectacle. It is a sad corroboration of those criticisms on "The way they do things in the Hawaiian Islands" which may be heard in any company in other lands where those who have visited our shores are to be found.

For at least four years the establishment of Branch Hospitals for Lepers in different parts of the group has been urged upon the Government. Numerous petitions in favor of this system were presented to the Legislature in 1878 and so strong was | contained in the publication energy I to be libelthe feeling against the summary way in ons. Provided, however, that such evidence which lepers were dealt with that many shall not be deemed a justification, unless it Hawaiian Representatives in that year shall be further made to appear on the trial that give birth to a child, went to her parents, and he claimed that this was not an act of desertion on were prepared to oppose the appropriation and for justifiable ends. for the Leper settlement in toto. Such a This is the defence the words being inflamaresult might have happened but for the tory or libelious, and having been published. earnest advocacy of Mr. Gibson. On this true; and second, against the publishing, that it was living with Kanema. The desertion had point we may refer to the testimony of Mr. is true, or published with good motives, and for been causeless, and there had been no condoneend of the session ; (See his letter in P. C. ADVERTISER of 12th Oct. 1878.) He then said-referring to the strong feeling prevailwas present at the session knows that Hon. W. M. Gibson the member from Lahaina, did the country valuable service in endeavoring to overcome the opposition thus manifested. He was no more impressed with the importance of the subject than some other members, but he was very instrumental in overcoming the opposition, and securing a larger appropriation than ever before for the care of lepers." In the letter just quoted from, Mr. Smith

proceeds to say "It is wellknown that it was repeatedly urged with all earnestness intent also. Lord Ellenborough, C.J., in the that more pains should be taken than in the past; that the following principles should be adopted. There should be a system of registering the names of all supposed to have the disease; that they should then be subjected to treatment; and finally that no one should be sent to Molokai as | be laid in the indictment. In many cases the incurable except on the decision of not less | allegation of intent is a merely formal one, being grate. Nothing of the kind taken into consideration so incurable except on the decision of not less allegated that the result and inference which the is contemplated at present. Far. Before people come to than three physicians. All these conditions were based on sound principles and law draws from the act itself fore requires no proof but what the act itself with the welfare of the Kingdom in view; supplies. As in the case of libels, when the and I have no hesitation in asserting that | fact of publication is not in question. every intelligent person in the Kingdom who is familiar with the subject will endorse these principles." Here then we have, so far back as 1878, the strong feeling | charged to have been so committed, otherwise among the native population, a consensus of sentiment among the foreign residents, and emphatic expressions of opinion by the representatives of both in the Ligislature. which ought to have been accepted as a Two foreign candidates-Jos. O. Carter, rule of conduct by the executive. Yet in 1880 the battle had to be fought all over authorities was condemned, and Mr. Gibson succeeded in securing from the Legislature the appropriation of \$40,000 for the establoan. Mr. Gibson may be said to have lishment of Leper Hospitals. Nevertheless which are -- Sanitary and Medical reform; a | the Executive was used to thwart the will enterprise; Hindoo as well as other immi- and it is only when the new elections

THE statesmanship of the United States ever cultivated by those to whom we con- tively established by proofs of justification; but cannot reasonably consent to the abrogation fide the welfare of the Kingdom? What a he must first be so charged

> [Since the above was written an important meeting of medical men has been held, called by His Ex, the President of the Board of Health to advise him as to the proper course to be pursued. We trust that divided counsels among professional men may not be allowed to paraivse the action indictment be amended. His Honor adof the Executive in this momentons mat- journed further proceedings till the after-

Hawaii made every concession to her numerous plantation enterprises. There by inserting the word "maliciously" in the mighty neighbor; agreeing that, " so long must be, with our very sparse population, place where it had omitted. Mr. Preston as this treaty shall remain in force, -she engagement for a term of service, and a asked for the immediate discharge of the will not grant any special privileges, or means of enforcing a contract, in order to defendant, relying on section 3 of the same terms of engagement, and the conditions of the indictment upon the law involved justice and humanity, and at the same ensed. of any articles free of duty, hereby secured time promote full opportunity for a successful issue to our industrial enterprises.

THE LIBEL CASE

On Monday last His Honor Judge M'Cully gave his decision on the demurrer in the dictment "not defective in form or sub- Family Carriage, Top Buggy, Three points have been made by de-

magnanimous purpose now prompt the fendant's counsel in support of this de-1. Because the letters are not set forth in the indictment. The indictment is not based on the letters, but upon what is (written and) published

about the letters ; and the charge that certain language cited therefrom by the Commissioner of Immigration, &c., is treason to the State. It and to her obligations, and the great powers is not requisite, in my opinion, that the letters 2. Because the alleged libellous words are not

libellous in law. Taking what is set forth in the libel, the words "this is treason to the State by opportunity, contemplated by the latter in a so-called Minister of State" may not charge the statute crime of treason-P. C. VI, sec. 1. Treason is hereby defined to be any plotting or attempt to dethrone or destroy the King, or the levying of war against the King's Government. contemplated in the first section, it shall be or preparing force, &c.

Writing letters limiting immigration, or discouraging general immigration, may not be brought within the definition of an act of treason as above, and so the words which form the charge the Hawaiian People. They alone of all Poly- of libel herein may not be considered as imputing such indictable offense. The word "treason" has, however, a second-

ary and non-technical use. Traitor, betrayal, self government; and however disastrous treachery, and treacherous are similar words. might be any diplomatic changes, or com- They all are used to import failure, neglect, or mercial issues, they would with the ballot | violation of duties, obligations, trusts, and interests by private persons of private duties, and by official and public persons of official duties, To say of an official that that his conduct is simple poi fare. Flourishing plantations treason to the State must be held to bring him

tempt or ridicule, which is defined by our statute enterprise here become bankrupt, the public 3. Because it is not charged that there was a revenues be reduced, and the whole governmalicious publication, Sec. 3 of ch. 32, Penal Code, being our statute of libel, defines publishmental state of the Kingdom be diminishing a libel to be the maliciously putting of it ed; yet the Kingdom would live on-so into circulation. Sec. 4 enacts that malice is shown in respect to libel by making a publication, or communicating it to others, wilfully and purposely to the prejudice and injury of another. essential to libel. There must be legal malice

in the publication. The law presumes that one who publishes of another that which is defamatory on its face does so with the malicious intent which constitutes libel. -Arch. Cr. Pleading, 1036. "If the publication is libellous, malice is presumed from the injurious act." Com. vs. Bonner, 9 Met., 412; also Smart vs. Blanchard, 42 N. H., 137; Com. vs. Snetting, 15 Pickering, 337. authorities concur in this doctrine of the legal

presumption of malice. Our statute of criminal practice, 1876 ch., sec. 15, provides that no indictment for any offence shall be held insufficient for the want of any matter unnecessary to be proved. Neither is it necessary by the established rules of pleading to aver matters which would more properly come from the other side, or which are implied by the on them. facts and circumstruces alsoged, or which the law will presume. I do not units stand by this statute provision, and by those subset pleading that a substant ve averment waiter is, or may be, established by legal presamparea redowing upon proof of other tacis, and as the result of such proof, need not therefore be made to the indictment, but that it relates to the good, or necessity

of proof thereof. Section 5 of our liber statute provides that every prosecution for writing or publishing a libel the detendant may give in evidence in his defence upon the trial the tenth of the matter

first against the making of the libel, that it is back for defendant had already deserted her, and W. O. Smith published shortly after the justifiable ends-that is to say, not with legal ment of it. The testimony of the late District

to publication (which is all that is charged in on defendant for desertion. It was after this conthis indictment), he must show that it was not tinued desertion on the part of Mehekula that ing in the Legislature during the session- malicious .- Per Shaw, C.J., in Com. vs. Bonner, Hana took up with Kaawaloa. The Court reserv-Every member of the Legislature who as above; after citing the Mass, statute, which is in the same words with our sec. 5. But it not having been so averred in the indictment, his proofs of good motives, justifiable ends, or privilege to maintain against the presumption that the publication was not malicious, would traverse no averment. A presumption of law dispenses with direct proof of the thing presumed from certain facts, and that is all. must be averred equally when it is presumed from the proof of other facts as when required to be proved as a separate fact. Criminal intent is legally presumed from

eriminal acts; but it is a universal rule to charge intent as well as the acts done, and it would not be sufficient to charge acts without charging the King vs. Philipp, says: "It may be said, however, that the criminal intent was necessarily implied from the publication, and therefore that any averment thereof was superfluous. . but, citing cases, he says such indictments were not maintainable. . . . If any particular bad intention accompanying the act be necessary to constitute it a crime, such intention should

law draws from the act itself, and which there-On an indictment upon statutes where the definition of the offense contained in them includes such adverbs as "unlawfully," "wicked- | day, ly," "maliciously," &c., the offense must be

done with a particular intent, in order to render it criminal, an evil intention must be averred upon the record .- 1 Archbold, under the subject of technical words, 303. So the want of a direct allegation of anything material in the description of the substance, nature, or manner of the offense cannot be supsoever; and therefore, in an indictment for murder, the omission of the words " of malice aforethought" is not supplied by the words feloniously murdered," although the latter

the indictment will be bad.-1 Archbold Crim.

Pleading of Prac., 300. When an act must be

words imply them .- 1 Archbold, p. 290. The illegality of the publication must be

Slander, "with authorities, p. 382. The intent is legally proved, that is presumed. the science of "how not to do it" to be for- | maliciously publishing which has been presump. | sands of bales,

be written and published a certain false, wicked malicious, and scrudalous libel of and concern

ing, &c. - p. 356 The averment that the matter is malicious is not sufficient without the averagent that the publication is malicious. Publication without legal nalice is not an offense, and defendant is there fore not charged herein with the statute crime of libel. On this ground the demorrer is sustained.

Mr. Hartwell at once moved that the

On the hearing being resumed, Mr. Hart-Our present labor system must be main- well moved that, in accordance with sectained as essential not simply to the pros- tion 33, chapter 40, Acts of 1876, His Honor perity, but to the very existence of our | should cause the indictment to be amended garner a sugar-crop. But we may regulate Act, which says that "a failure to sustain laborers, so as to meet every demand of shall operate as an acquittal of the ac-

> On Tuesday morning His Honor gave his All Complete Marble Topped. decision, allowing the amendment on the ground that the two sections of the same Act must be taken to be consistent, and that the failure to sustain an indictment mentioned in section 3 must refer to an instance." Mr. Preston noted an appeal to the Full Court. On Friday afternoon, nolle prosequi was

entered by the prosecution.

SUPREME COURT. Before Mr. Justice McCully. Friday, Jan. 20th.

(Continued from page five) H. Hackfeld & Co., vs Eugene Bal & Co.; as sumpsit. Mr. S. B. Dule for plaintiffs, Mr Bickerton for delendants. While cross-examin ing one of the plaintiffs, Mr. J. C. Glade, Mr. Bickerton asked whether Mr. Furstimaux had not an interest in the firm of Hackfeld & Co., at this time. The question was objected to by plaintiffs counsel and the Court decided that it could not ATHLETIC ASSOCIATION! be put, to which ruling Mr. Bickerton noted an &c.—Sec. 5. To constitute the levying of war exception. He then asked for a non-suit on the EDUCATION, are carnes by invited to attent. ground that the mortgage relied on in this suit. requisite that the persons concerned therein be | did not expressly include future advances, etc. parties to some overt act in or towards procuring The Court ruled that the mortgage was collateral NEW MUSIC HALL! and declined to grant a non-suit, to which decis ion Mr. Bickerton again excepted. The defendants case was then proceeded with. The jur found a verdict for defendants, two jurors dissenting, and Mr. Dole excepted to the verdict as

against law and evidence. Saturday, 21st, Before the Full Court.

T. Spencer Jr. by his next friend T. Spencer, vs W. C. Parke : exceptions to the rulings of the presiding Justice at last October term. Mr. Hartwell handed in a brief on the case. Hatch read the bill of exceptions and argued the same. Judgement reserved-

N. Campbell vs Manu: exceptions to the ruling of Mr. Justice McCully at the third Judicial Circuit. Mr. Hartwell submitted a brief without argument.

Opunui vs Kauhi : appeal from a decision of the Chancellor. Mr. Hartwell submitted a brief without argument, Mr. W. O. Smith said he understood this case was discontinued, to which Mr. Hartwell replied that it was only discontinued as to Kaneolaui. Mr. Smith having though misapprehension sent the parties he represented away Hatred or ill-will toward the party injured is not | the Court gave him till the last day of term to file a brief.

Edward Ffrancis Ward, Esq., was introduced to the Bench by Mr. Preston, and admitted as a member of the Hawaiian Bar, the necessary oaths being administered by the chief Justice. Kalaeokekoi vs D. Kahanu: Mr. Dole filed a

motion for a new tatal in this case. Rol t. 1 riggs vs J. R. Mills ; exceptions to rulings of presiding Justice. In the course of the proceedings in this matter, Mr. Bickerton asked to be allowed to read certain affidavits filed on Nov. 7th, the verdict baving been given on Oct. 11th. The Court took sime to decide whether a motion for a new triol, on the ground of newly discovered evidence, could be allowed, after ten days from date of the verdict. The exceptions were argued and the Court deferred its decision

Eugenia Briggs vs Robt. Briggs: appeal upon the facts of the case as recorded. Mr. R. F. Bickerton for libellant, Mr. W. C. Jones and Mr. F. M, Hatch, for respondent. Mr. Bickerton argued that the facts shown by the testimony as recorded. proved that adultery had been committed by the defendant, and that the evidence showed that Mrs. Briggs had not committed adultery, and that there was no condonation. Judgement deferred. Hana w. vs Mehekula : exceptions to the find-

ing of the Court, as being contrary to the evidence. Mr. Holokabiki for libellant said that the tertimony showed desertion on the defendants part. Defendant claimed that plaintiff deserted People's Line. him, but their ease was that Hana, when about to her part. At that time Mehekula was living in adultery with Kahema, and plaintiff went to Waianne; after the birth of the child she could not go Justice of Waianae showed that libellant gave The burden of proof is on the defendant. As birth to a child on the day of service of process

ed its decision. Pedro vs Chum Yon Fan ; appeal from the Intermediary Court. After some discussion as to the proper course to be taken in this matter the case was ordered to stand over until called up.

Monday, 23d. Before Mr. Justice McCully. Rex vs W. M. Gibson : His Honor gave judgement sustaining the demurrer. Mr. Hartwell

moved to have the indistment amended. The Court took time to consider. I. R. Foster vs Luambani; appeal from the Intermediary Court. Mr. Dole for plaintiff, Mr. Kaulukou for defendant. A mixed jury was empannelled to try this case and brought in a unan-imous verdict for the defendant. Mr. Dole noted

ment. After the case had been heard, His Honor instructed the jury (with consent of the defendants,) to return a verdict in favor of Mookapu for one undivided fourth part of the land without damages. Verdict accordingly, Tuesday, 24th. Rex vs W. M. Gibson. His Honor gave his

Mookapu w, et, al vs Ahuna ch. et, al : eject-

decisi in, allowing the indictment to be amended. Mr. Preston noted an appeal to the full Conrt. B. H. Kahananui vs J. C. Cluney, administrator of the estate of E. K. Cluney, deceased action of trover. Verdict for defendant, two jurors dissenting. The case occupied the whole Wednesday, 25th.

L. B. Kerr vs Hyman, Brothers; action for damages. The jury, without retiring, rendered a unanimous verdict for the defendants. Fook Gee vs Ablo et al. His Honor gave his decision in this matter, granting a new trial. THE Union Feed Company is a new in-

stitution, under the energetic management of Mr. A. W. Bush, which promises to be again. Once more the course pursued by the | plied by any intendment or implication what- an excellent source of supply for the feed of our live stock of all kinds. At one time, in 1849-750-751, the Sandwich Islands fed California, and supplied the pioneers of the golden State with potatoes, flour, and even poi; and now that California has become averred by means of the word maliciously, or the granary of the Pacific, she feeds the some equivalent term. -Heards' "Libel and Islands that are devoted solely to sugarproduction. With reciprative, the farmers of the Slope find good / instomers in our next issue, on Wednesday, 1st February, to be forever ruled after this fashion? Is plicit; the defendant may traverse the charge of feed by the thousands of bags, and thouCAUCTIONSONALLA

BY E. P. ADAMS.

AUCTION SALE!

Household Furniture

At Residence of F. A. Harnden.

237 Nunanu Street. Thursday, Feb. 2nd,

AT 10 O'CLOCK, A. M., WELL KEPT FURNITURE!

- AS FOLLOWS -PARLOR-New Fiano, fine instrument, but little used Antique Chairs, Tables, Egsy Chairs, &c., &c. DINING ROOM-Folid Oak Extension Table, Mahogony Chake, Book Case, Crockery and

Chinaware,

KITCHEN-New Empress Bange, Refrigerator, Sate, &c. BEDROOMS-1 Very Elegant Black Walnut set with Full Length Microred Pressing Barray Champhor Wood Chiff-pier I Mahogory Set.

Spring Beds and Feather Pillows, Chandelines, Lamps, &c., &c.

1 DOMESTIC SEWING MACHINE. Saddies, Bridles, &c., &c.

E. P. ADAMS, Auctioneer,

MEETING NOTICE.

A Public Meeting Will Be Held

MONDAY EV NING NEXT! AT THE LYCEUM.

Saturday Evening, Feb. 4th,

Miss Jennie Boyer Prior to her Departure for the United States. On this

occasion the refined and pleasing Illusionist

Farewell Appearance

PROFESSOR LOUIS XAVIER Will make his re-appearance in Honolulu, after an at sence of 18 months, to his Original Specialty, Sophistry of the 19th Century!

Mr. Edwin Browne The Wonderful Mystery

The Canopy of Phydias ROMAN,

Grecian Statuary, Forming the most varied and Interesting Programme ever presented in this city. The Reserved Sears at J. W. Robert-son & Co.'s.

MUSIC. MR. CHARLES KESSLER. Pupil of Dit. HANS VON BULOW, will be glad

--- AT ----Evening Parties On Moderate Terms.

TO PLAY CLASSICAL MUSIC

gr Lessons given in Planoforte playing, at One Dollar per Lesson, if within half a mile of Post Office, beyond that distance Two Dollars.

Communications left at WELLS' MUSIC STORE will be promptly attended to by Mr. Kessier.

SUNDAY THE TABLE

THE OMNIBUSES WILL BUNTO-MOR-ROW on the following time for the accommodation of our church people and Sunday School Children, and also for the benefit of all who desire an early, invigorating morning or evening both. Mr. DODD has received numerous congratulations, on all sides, for his cuterprising hospitality in seeking the wants of our generous community, and for comfort, convenience, reliability of driving and cheapness in fares, together with promptness as per schedule, he certainly deserves the respect of our entire community.

LEAVE STABLES: IT The Valley Time Table will be as follows: 41 LEAVE STABLES: LEAVE J II PATY'S RESIDENCE. I.7 Please review that at 6:30 a.m. and 4 p. m., the Buss will run to the Walarki Baths, and the charge for the round true, Bath included, will be only Fifty Cents. Tickets eight for One Dollar. Office of Cantheon Stables, corner Hotel and Fort Streets,

NOTICE. A LL PERSONS ARE HEREBY CAUTIONED

against purchasing the Lease of Rouse and Fremmes at No 16 R chard street, as advertised by A. H. Houghton, is any sair of the same will be inlegal without the written ABR. S. BOLSTER. HOOP IRON:

JAS. DODO, Proprietor.

HAVE RECEIVED AND NOW OFFER Eastern Shooks, Molasses Barrels, all sizes;

Sugar Kegs, &c., Made to Order. J. H. BRUNS, Esplanade,

BUCCY & HARNESS FOR SALE! ONE NEW OPEN BUGGY AND HARNESS complete, price \$125. Enquire at

Ja28 tf Boundary Commissioner's Notice. PPLICATION HAVING BEEN MADE to me in due form by W. D. Alexander, Superintendent f Government Survey, for the scattement of certain places of covernment Land situated in Warkiki, Island of Onka, vir.

1st-Keauhon and Wallimato, adjacent to Paakea, in two 2d-Waiska, a tract of land adjoining Kamoliiii Church. 3d -The " Kula o Kasipuas," in Kalia, makai of Kalusothe.—Tract A., of Rice Land, in Kalla, Waiaka and Mooka-i, including the Lot o Haokapokii, and adjoins Pau and Kamoku.

5th-Treet B., of Rice Land, in Kalia, adjoining the " Au 6th -- Kanamoa, adjoining Pau -- Therefore, all parties intersted in the settlement of said Boundaries, and all owners of and adjoining, are hereby notified to be present at my office,

No. 38 Merchant Street. Honolulu. at 1 o'clock p. m., ON MONDAY. Fes. uary 6th, 1882, at which time and place the above application will be heard. R. F. BICKERTON,

nusry 24th, 1882. Dated Hop